



**Arent Fox Kintner Plotkin & Kahn, PLLC**  
 1050 Connecticut Avenue, NW  
 Washington, DC 20036-5339  
 Phone 202/857-6000  
 Fax 202/857-6395  
 www.arentfox.com

**Bonnie Campbell**  
 202/857-6041  
 campbell.bonnie@arentfox.com

January 7, 2003

The Honorable Patrick J. Leahy  
 Chairman, Senate Judiciary Committee  
 United States Senate  
 433 Russell Senate Office Building  
 Washington, DC 20510

The Honorable Orrin G. Hatch  
 Ranking Member, Senate Judiciary Committee  
 United States Senate  
 104 Hart Senate Office Building  
 Washington, DC 20510

Re: Nomination of Jeffrey S. Sutton to the Sixth Circuit

Dear Senator Leahy and Senator Hatch:

I am writing to urge the prompt confirmation of Jeffrey S. Sutton to the United States Court of Appeals for the Sixth Circuit. I believe that Mr. Sutton is eminently qualified and would be a great asset to the federal judiciary.

Mr. Sutton is one of the top appellate advocates in the country, having argued twelve cases in the United States Supreme Court, with a 9-2 record (and one case pending). In the 2000-2001 Term, he argued more cases than any other private attorney in the country, and won all four of them. And in *Hohn v. United States*, 524 U.S. 236 (1998), the Court *sua sponte* appointed Mr. Sutton to argue the case as a friend of the Court. When he served as the State Solicitor of Ohio, the National Association of Attorneys General presented Mr. Sutton with a Best Brief Award for practice in the United States Supreme Court an unprecedented four years in a row. And this month, the American Lawyer included Mr. Sutton in its list of the top forty-five lawyers in the country under the age of forty-five.

I understand that some legal arguments Mr. Sutton has made in the course of representing clients have aroused some controversy in connection with his nomination. Having recent experience myself with the judicial confirmation process, I strongly urge the Senate to reject any unfair inference that Mr. Sutton's personal views must coincide with positions he has advocated on behalf of clients. It is, of course, the role of the advocate to raise the strongest available arguments on behalf of a client's litigation position regardless of the lawyer's personal convictions on the proper legal, let alone policy, outcome of the case. I am confident that Mr. Sutton has the ability, temperament, and objectivity to be an excellent judge.

The Honorable Patrick J. Leahy  
The Honorable Orrin G. Hatch  
January 7, 2003  
Page 2

Sincerely,

  
Bonnie J. Campbell

BJC/rw